CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Fo	rce	V	Discourt.	U.S.
William MacLure		Squad #6	201800370	☑ Al	ouse		O.L.	☐ Injury
Incident Date(s)		Location of Incident:		Prec	inct:	18 N	Mo. SOL	EO SOL
Sunday, 01/14/2018 1:50 PM	Avenue H and East 56 Stre		Street	(53	7/1	4/2019	7/14/2019
Date/Time CV Reported		CV Reported At: How CV Reported		Date/Time Received at CCRB				
Sun, 01/14/2018 5:22 PM		CCRB	Call Processing System	Su	n, 01/14	/2018	5:22 PM	
Complainant/Victim	Type	Home Addre	SS					
Witness(es) Home Address								
Subject Officer(s)	Shield	TaxID	Command					
1. POF Rachel Ford	21365	943248	063 PCT					
Witness Officer(s)	Shield N	o Tax No	Cmd Name					
1. POF Dina Soliman	20634	959260	063 PCT					
Officer(s)	Allegatio	on			Inve	stigat	or Recon	nmendation
A.POF Rachel Ford	Abuse: Police Officer Rachel Ford threatened to arrest							
B.POF Rachel Ford	Discourtesy: Police Officer Rachel Ford acted discourteously toward \$87(2)(b)							
C.POF Rachel Ford	Abuse: Police Officer Rachel Ford refused to provide her name and shield number to \$87(2)(b)							
D.POF Rachel Ford	Abuse: Police Officer Rachel Ford stopped the vehicle in which § 87(2)(b) was an occupant.							

Case Summary

On January 14, 2018, § 87(2)(b) filed this complaint with the CCRB using the call processing system. On January 14, 2018, at approximately 1:50 p.m., \$87(2)(b) drove to East 56th Street and Avenue H, where she lives. After parking and exiting her vehicle, PO Rachel Ford and PO Dina Soliman of the 63rd Precinct parked in front of \$87(2)(b) s vehicle. PO Ford asked § 87(2)(b) for her license and registration. When § 87(2)(b) asked PO Ford why, PO Ford told § \$87(2)(b) that she could arrest her if she did not provide the documents (Allegation A: Abuse of PO Ford told § 87(2)(b) that she had been trying to pull her for several minutes. § 87(2)(b) told PO Ford that she did not see any lights or hear any sirens. § 87(2)(b) provided her license and registration to PO Ford. PO Ford went back to the police vehicle. PO Soliman wrote two summonses for \$87(2)(b) for disobeying a traffic device and for failure to comply with a lawful order (Board Reviews 07 and 08). PO Ford returned to \$87(2)(6) vehicle and "slapped" the summonses on \$87(2)(5) s dashboard (Allegation B: Discourtesy, asked PO Ford for her name and shield number, which PO Ford said she did not have to provide (Allegation C: Abuse of Authority, \$87(2)(9) \$87(2)(b) began to drive back to Utica Avenue and Avenue H to see if she had disobeyed a traffic sign, as PO Ford had stated. PO Ford turned her on her turret lights and \$57(2)(5) (Allegation D: Abuse of Authority, \$37(2)(9) When PO Ford approached \$ 87(2)(b) s vehicle, she said that \$ 87(2)(b) did not see the lights the first time, and then drove away. There was no video footage of this incident.

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Rachel Ford threatened to arrest [5 87(2)(b)]

It is undisputed that \$87(2)(b) made an illegal left turn at the intersection of Utica

Avenue and Avenue H, in Brooklyn.

\$87(2)(b) was interviewed at the CCRB on January 24, 2018 (Board Review 01). On

January 14, 2018, at approximately 1:50 p.m., PO Ford and PO Soliman stopped \$87(2)(b) in the vicinity of Avenue H and East 56th Street, in Brooklyn. PO Ford asked \$87(2)(b) for her license and registration twice, and both times \$87(2)(b) asked PO Ford why she needed to provide these documents. PO Ford told \$87(2)(b) that she could be placed under arrest if she did not provide her license and registration. \$87(2)(b) provided her documents to PO Ford after PO Ford informed her that she could be arrested. PO Ford went back to the police vehicle with \$87(2)(b) should be added to provide the police vehicle with \$87(2)(b) should be arrested. PO Ford went back to the police vehicle with \$87(2)(b) should be placed under arrest if she did not provide her that she could be arrested. PO Ford went back to the police vehicle with \$87(2)(b) should be arrested. PO Ford went back to the police vehicle with \$87(2)(b) should be placed under arrest if she did not provide her license and registration. \$87(2)(b) should be placed under arrest if she did not provide her license and registration. \$87(2)(b) should be placed under arrest if she did not provide her license and registration. \$87(2)(b) should be placed under arrest if she did not provide her license and registration. \$87(2)(b) should be placed under arrest if she did not provide her license and registration. \$87(2)(b) should be placed under arrest if she did not provide her license and registration. \$87(2)(b) should be placed under arrest if she did not provide her documents to PO Ford after PO Fo

Page 2

rolled her window down an inch and PO Ford asked again for her documents. §87(2)(b)
PO Ford she did not understand why she was being pulled over and refused to provide her

to roll her window down. After approximately one or two minutes, § 87(2)(b)

for her documents approximately four or five

CCRB Case # 201800370

documents to PO Ford. After asking § 87(2)(b)

times, PO Ford explained to \$87(2)(6) that she could be arrested for not providing her license, possibly for Obstructing Governmental Administration (OGA). \$87(2)(6) immediately provided her documents to PO Ford after it was explained that she could be arrested if she did not provide them.

PO Soliman was interviewed at the CCRB on April 19, 2018 (Board Review 03), and provided testimony consistent with that of PO Ford.

When issuing a summons returnable to Traffic Violations Bureau or Criminal Court, remove a violator to command for investigation if doubt concerning identity exists, <u>Patrol Guide</u> Procedure 209-09, "Personal Service of Summonses Returnable to Traffic Violations Bureau or Criminal Court," (Board Review 04).

A person is guilty of obstructing governmental administration when he intentionally obstructs, impairs or perverts the administration of law or other governmental function or prevents or attempts to prevent a public servant from performing an official function, NYS PenalLaw Section 195.05, "Obstructing Governmental Administration in the Second Degree" (Board Review 05).

IXCVICW	0 <i>3)</i> .
	§ 87(2)(g)
	§ 87(2)(g)
Allegat	ion (B) Discourtesy: Police Officer Rachel Ford acted discourteously toward §87(2)(b)
·	

(Board Review 01) waited in her vehicle while PO Ford and PO Soliman were in the police vehicle. PO Ford returned to \$87(2)(b) so vehicle and informed her that there was a sign prohibiting left turns from Utica Avenue to Avenue H between 7:00 a.m. and 7:00 p.m. \$87(2)(b) told PO Ford that she thought Sundays were excluded. PO Ford told \$7(2)(b) that she was incorrect and made an illegal turn. \$87(2)(b) placed her hand out the window so that PO Ford could hand the summonses to her. PO Ford reached into the car and slapped the summonses onto \$87(2)(b) so dashboard, which \$87(2)(b) felt was rude.

As per PO Ford (Board Review 02), PO Ford and PO Soliman went back to their police vehicle, where PO Soliman wrote \$87(2)(b) two summonses. After PO Soliman finished writing the summonses, she and PO Ford returned to \$87(2)(b) s vehicle. PO Ford was holding the summonses when they approached. \$87(2)(b) s window was rolled down and her hands were folded across her chest. PO Ford explained to \$87(2)(b) that she was receiving one summons for disobeying the traffic sign, and one summons for failure to comply with a lawful order. PO Ford attempted to hand \$87(2)(b) the summonses, but \$87(2)(b) did not take them. PO Ford told \$87(2)(b) "Ma'am, the summonses." \$87(2)(b) refused to take the summonses, so PO Ford placed them on the dashboard of \$87(2)(b) s vehicle. PO Ford never slapped the summonses onto \$87(2)(b) s dashboard.

PO Soliman's testimony (Board Review 03) was consistent with PO Ford's testimony.

Page 3

CCRB Case # 201800370

§ 87(2)(g)
Allegation (C) Abuse of Authority: Police Officer Rachel Ford refused to provide her name
and shield number to §87(2)(b)
(Board Review 01) exited her vehicle, asked PO Ford why she received two summonses, and requested PO Ford's name and shield number. PO Ford responded, "I don't have to give you anything."
PO Ford (Board Review 02) walked back to the police vehicle after placing the
summonses on \$87(2)(b) s dashboard. \$87(2)(b) exited her vehicle and yelled at PO Ford asking regarding the issuance of the summonses. PO Ford explained again what the summonses were for and then \$87(2)(b) got back into her vehicle. \$87(2)(b) never requested PO Ford's
name or shield number.
PO Soliman's testimony (Board Review 03) was consistent with PO Ford's testimony.
§ 87(2)(g)
Allegation (D) Abuse of Authority: Police Officer Rachel Ford stopped the vehicle in which
was an occupant.
(Board Review 01) began to drive back to the intersection of Utica Avenue
and Avenue H to confirm that there was a sign prohibiting left turns. §87(2)(b) was driving
behind PO Ford and PO Soliman, but PO Ford pulled to the side on Avenue H, allowing to drive ahead. Once PO Ford was behind \$87(2)(b) PO Ford activated her police
lights. Somewhere on Avenue H between Utica Avenue and East 56 th Street, \$87(2)(6) stopped
and exited her vehicle. PO Ford stated, "Oh, you didn't see my lights or sirens the first time," and
then left without issuing \$87(2)(b) an additional summons.
PO Ford (Board Review 02) and PO Soliman got back into the police vehicle after PO
Ford issued the summonses to \$87(2)(b) drove away on Avenue H before PO Ford
and PO Soliman. PO Ford turned around and started driving on Avenue H back to Utica Avenue,
so she and PO Soliman could continue observing traffic at the intersection. PO Ford was driving
behind \$87(2)(b) on Avenue H. \$87(2)(b) did not make any traffic infractions after being
issued the summonses. PO Ford never turned her lights or sirens on again and never intended to
stop \$87(2)(b) again after issuing her the summonses. \$87(2)(b) stopped her vehicle on Avenue H, somewhere between East 52 nd Street and East 54 th Street. \$87(2)(b) exited her
Avenue H, somewhere between East 52 nd Street and East 54 th Street. Se7(2)(b) exited her vehicle, stood by her driver side, and began yelling at the officers asking why she was being
stopped. PO Soliman got onto the loud speaker and instructed § 87(2)(b) to get back into her
vehicle. §87(2)(b) complied. PO Ford had no further interaction with §87(2)(b) PO Ford
never told § 87(2)(b) "Oh, you didn't see my lights and sirens the first time."

Page 4

CCRB Case # 201800370

PO Solima § 87(2)(g)	an's testimony (Board R	eview 03) was consistent with PO For	rd's testimony.
	<u>Civilian</u>	and Officer CCRB Histories	
over her 1	as five allegations stems	laint with the CCRB (Board Review (ning from two complaints, including YPD. PO Ford's one prior allegation	this complaint,
	Mediation,	Civil and Criminal Histories	
		ut PO Ford rejected mediation. This cary 15, 2018, to March 27, 2018.	ase was with the
Squad No.:			
Investigator:	Signature	Print Title & Name	Date
Squad Leader:	Signature	Print Title & Name	Date
Reviewer:			
	Signature	Print Title & Name	Date

Page 5

CCRB Case # 201800370